



## PUGET SOUND PARTNERSHIP LEGISLATIVE UPDATE, WEEK 3

JANUARY 26, 2015 | DAY 15 OF THE 105-DAY LEGISLATIVE SESSION

*The Puget Sound Partnership's Legislative Update highlights issues related to our region's work to protect and restore the health of Puget Sound.*

### LEGISLATORS HEAR TESTIMONY REGARDING FORAGE FISH AND FLAME RETARDANTS

The second week of the 2015 Legislative Session featured public hearings on bills concerning regulation of flame retardants and management of forage fish resources, as well as committee work sessions about the budget for the Model Toxics Control Account, ocean acidification, and water availability for agriculture.

- The **House Committee on the Environment** conducted a **public hearing** Monday, Jan. 19, for **HB 1174**, which would ban the sale and distribution of children's products and residential upholstered furniture containing **flame retardants** above a set minimum concentration, unless there is not a safer alternative. The Department of Ecology testified in support of the bill; the Partnership signed in with support of the bill. A recording of the public hearing is [available on TVW](#).
- On Tuesday, Jan. 20, the **Senate Committee on Energy, Environment & Telecommunications** held a **work session** concerning the budget for the **Model Toxics Control Act (MTCA)**. The Department of Ecology described the MTCA-funded programs they administer. It was noted that some decision-makers feel MTCA funds should be restricted to use for cleanup only. However, a number of agencies, including the Partnership, currently receive MTCA funding to support programs that help prevent toxics from entering the environment. A recording of the public hearing is [available on TVW](#).
- On Wednesday, Jan. 21, the **Senate Committee on Natural Resources & Parks** conducted a **public hearing** on **SB 5166**, which concerns the management of **forage fish resources**. Among many other provisions, the bill would also provide for the collection of critically important information on key forage fish species and their ecology in Puget Sound. The legislation does not, however, provide funding to implement the actions that would be legislated by the bill. The Partnership testified in support of the bill. A recording of the public

### 2015 LEGISLATIVE SESSION

- The 2015 Legislative Session is scheduled from Jan. 12 to April 26, 2015.
- Puget Sound Legislative Updates are posted at: [http://www.psp.wa.gov/legislative\\_updates.php](http://www.psp.wa.gov/legislative_updates.php)
- For up-to-date legislative information, visit: [www.leg.wa.gov](http://www.leg.wa.gov)
- Watch or listen to hearings and work sessions on: [www.tvw.org](http://www.tvw.org)
- Connect with PSP for breaking news and other events affecting Puget Sound on Twitter @PSPPartnership and Facebook: [www.facebook.com/PugetSoundPartnership](http://www.facebook.com/PugetSoundPartnership)

### Communication & Coordination:

If you are planning to meet with legislators or would like assistance with state legislative issues regarding Puget Sound priorities, please contact:

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hearing is [available on TVW](#).

- In a **work session** on Thursday, Jan. 23, the **House Committee on the Environment** received an update from the Marine Resources Advisory Council (MRAC) on **ocean acidification**. Speakers included Martha Kongsgaard, representing MRAC; Lisa Graumlich, representing the University of Washington; Dick Feeley, representing the National Oceanic and Atmospheric Association; and Bill Dewey, representing Taylor Shellfish. A recording of the work session is [available on TVW](#).
- Also Thursday during a **work session**, the **Senate Committee on Agriculture, Water & Rural Economic Development** heard presentations on **water availability, historic lows in several areas of the state and projects designed to address these issues**. The Nature Conservancy discussed the need to view water infrastructure projects from an integrated perspective. The Department of Ecology's program, **Floodplains by Design**, was included among other important projects that could meet multiple needs- salmon, public safety, agriculture viability, and recreation. The committee was provided with a list of projects proposed to be funded in both Eastern Washington and Puget Sound. A recording of the public hearing is [available on TVW](#).

## UPCOMING HIGHLIGHTS OF WEEK 3

On **Monday, Jan. 26**, two important work sessions occur at 5:30 p.m. The **House Transportation Committee** will review **Governor Inslee's requested proposals for transportation revenue, bonds, and budget**. The transportation budget is of critical importance to Puget Sound recovery because it addresses infrastructure retrofits to manage stormwater pollution and fish passage through culverts. Also at 5:30, the **Senate Ways & Means Committee** meets to discuss flooding, stormwater, and other water issues, as well as to hear a bill proposed by Sen. Honeyford to provide **comprehensive funding** covering flood control and stormwater management, as well as water supply.

The **Senate Committee on Agriculture, Water & Rural Economic Development** meets **Tuesday at 8 a.m.** to hear a series of bills related to **conversion of agricultural lands for floodplain and estuary restoration**. The **House Committee on Local Government** will hear the House version of these bills at 10 a.m. Because of the importance of floodplains and estuaries to the recovery of Puget Sound, the Partnership will provide testimony at these hearings.

Other important hearings that we'll be closely following this week take up **HB 1314**, implementing a **carbon pollution market program** to reduce greenhouse gas emissions; **HB 1256**, concerning the **Derelict Vessel Prevention Program**; **HB 1152**, concerning the management of **forage fish**; **HB 1378**, concerning pollution from **synthetic plastic microbeads**; and several Senate bills relating to **water use in the Skagit Basin (SB 5129, 5131, 5134, 5135, 5136, and 5407)**. Many committee work sessions and public hearings are available via live broadcast or recorded archive through the public television station TVW ([www.tvw.org](http://www.tvw.org)).

For the most current information about legislative committee activities, including meeting agendas, times and locations, go to [www.leg.wa.gov](http://www.leg.wa.gov). Many committee meetings are broadcast live on the State Capitol's public service television station, TVW. For a schedule, go to [www.tvw.org](http://www.tvw.org).

## GOVERNOR'S REQUEST BILLS OFFER PROTECTION FOR PUGET SOUND

At Governor Inslee's request, legislators this week introduced several bills that stand to protect the health of Puget Sound.

**Oil Transportation Safety – Companion bills HB 1449 (sponsored by Rep. Farrell) and SB 5087 (sponsored by Sen. Rolfes).** These bills would benefit Puget Sound by reducing the likelihood of oil spills into Puget Sound and increase the speed and quality of cleanup after a spill occurs, thus avoiding or reducing adverse impacts of oil spills on the marine ecosystem. Statewide, the legislation would enhance prevention of and response to oil spills on inland and marine waters by requiring:

- Railroad operators carrying oil to have state-approved contingency plans for oil spills and to participate in drills.
- All modes of oil transportation to meet the Best Achievable Protection (BAP) standard that operators of commercial vessels currently must meet in their preparation for oil spills.
- Increased state inspections of railroad crossings.
- Advanced notification of oil shipment by rail.
- Increase of tug escorts in Puget Sound.
- Increased authority for tug escorts in Grays Harbor and the lower Columbia River.
- Proof of financial responsibility by rail operators.

The legislation would provide revenue for these new requirements by modifying railroad regulatory fees and increasing the Oil Spill Administration tax rate from 4 cents a barrel to 10 cents a barrel to fund oil spill prevention.

Related legislation: **SB 5057, sponsored by Sen. Ericksen**, also deals with oil transportation safety but does not address marine facilities and does not increase funding for oil spill prevention.

**Toxics Reduction – Companion bills HB 1472 (sponsored by Rep. Fitzgibbon) and SB 5406 (sponsored by Sen. Billig).** These bills would benefit Puget Sound by decreasing the amount of toxic chemicals entering the Sound via stormwater and other sources. The legislation would require industries to look for safer alternatives to priority toxic chemicals and would grant the Department of Ecology the authority to ban the use of certain toxics where safer alternatives exist.

Related legislation: **SB 5056, sponsored by Senator Ericksen**, also addresses toxics reduction but does not grant the Department of Ecology the authority to ban toxic chemicals, leaving that responsibility with the State Legislature. In addition, the bill does not require industries to look for safer alternatives to identified toxic chemicals.

**Carbon Pollution Accountability Act – Companion bills HB 1314 (sponsored by Rep. Fitzgibbon) and SB 5283 (sponsored by Sen. Ranker).** This legislation would reduce the emissions of carbon dioxide, shown to be the cause of ocean acidification. Ocean acidification threatens the marine food chain, dissolving the shells of krill, crab, and shellfish. The bills would create a new, market-based program that would limit carbon pollution and require major polluters to pay for their emissions of carbon dioxide. The limit would decrease gradually over time, allowing emitters time to transition to cleaner technology and improved operations. The program would generate about \$1 billion annually, which would be used to fund transportation projects, education, and programs in disadvantaged communities.

Related budget request: The Governor's Budget Request includes \$1.5 million for the University of Washington's **ocean acidification research**.

## COMMITTEES CONSIDER LEGISLATION IMPORTANT TO PUGET SOUND RECOVERY

The Partnership is tracking the following bills that could have an impact on the health and recovery of Puget Sound. For the most up-to-date status of the bills, check the legislative information website, [www.leg.wa.gov](http://www.leg.wa.gov).

- **HB 1032 – Amending the fee structure provided in RCW 77.55.321 to encourage habitat projects that provide a public benefit.** Sponsored by Rep. Blake; referred to the House Committee on Agriculture & Natural Resources. The bill would provide limited financial aid to habitat restoration projects by removing the fee for Hydraulic Project Approval (HPA), collected by the Department of Fish & Wildlife for such projects. The Partnership supports actions that help remove barriers to restoration projects.
- **HB 1162 – Concerning motorized mineral prospecting.** Sponsored by Rep. Tarleton; referred to the House Committee on Agriculture & Natural Resources. The legislation seeks to improve protections for fish during gold-prospecting activities. The Partnership supports actions that help to protect salmon habitat.
- **HB 1256 – Providing the department of natural resources with discretionary authority to use resources available in the derelict vessel removal account to fund complementary derelict vessel prevention programs.** Sponsored by Rep. Tharinger; referred to the House Committee on Agriculture & Natural Resources. The bill would help fund a program to prevent derelict vessels from sinking or from releasing toxic substances into Puget Sound. The Partnership supports actions that help to prevent toxic substances from polluting Puget Sound.
- **HB 1378 – Protecting waterways from pollution from synthetic plastic microbeads.** Sponsored by Rep. McBride; referred to the House Committee on the Environment. The bill would ban the manufacture, production, and sale of materials shown to pollute marine environments. The Partnership supports actions that help to prevent toxic substances from polluting Puget Sound.
- **SB 5168 – Addressing the definition of agricultural lands under the Shoreline Management Act. SB 5169 – Restricting the conversion of agricultural land to other uses under the Growth Management Act. SB 5170 – Restricting the conversion of agricultural land to other uses under the Growth Management Act and Shoreline Management Act.** Sponsored by Sen. Warnick; referred to the Senate Committee on Agriculture, Water & Rural Economic Development. All three bills would preclude restoring tidal inundation to any current or potential agricultural lands. The Partnership opposes actions that would prevent restoration of habitat critical to the health of Puget Sound.